

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TRANSCONTINENTAL GAS PIPE LINE
COMPANY, LLC
2800 POST OAK BOULEVARD
HOUSTON, TEXAS 77251-1396,

Plaintiff,

v.

PERMANENT EASEMENT FOR 0.94
ACRES AND TEMPORARY EASEMENTS
FOR 1.61 ACRES IN CONESTOGA
TOWNSHIP, LANCASTER COUNTY,
PENNSYLVANIA, TAX PARCEL
NUMBER 1203589400000,
SICKMAN MILL ROAD

BLAIR B. MOHN AND MEGAN E. MOHN
356 SAND HILL ROAD
CONESTOGA, PA 17516

AND ALL UNKNOWN OWNERS

Defendants.

CIVIL ACTION – LAW

Docket No. 5:17-CV-00722

ORDER

AND NOW, this 23rd day of August, 2017, upon consideration of Plaintiff's Omnibus Motion for Preliminary Injunction for Possession of Rights of Way by August 18, 2017 Pursuant to the Natural Gas Act and Federal Rules of Civil Procedure 71.1 and 65, and the accompanying documents, Defendants' opposition thereto, Plaintiff's Reply, and after a hearing and oral argument being held, it is hereby **ORDERED** that the Motion is **GRANTED**. It is further **ORDERED** as follows:

(1) Transcontinental Gas Pipe Line Company, LLC (“Transco”) has the substantive right to condemn the following easements and rights of way (collectively referred to as the “Rights of Way”):

- a. A permanent right of way and easement of 0.94 acres, as described as “Area of Proposed CPLS R/W” in Exhibit A attached hereto, for the purpose of constructing, operating, maintaining, altering, repairing, changing but not increasing the size of, replacing and removing a pipeline and all related equipment and appurtenances thereto (including but not limited to meters, fittings, tie-overs, valves, cathodic protection equipment, and launchers and receivers) for the transportation of natural gas, or its byproducts, and other substances as approved by the Order of the Federal Energy Regulatory Commission dated February 3, 2017, Docket No. CP15-138-000, 158 FERC ¶ 61,125 (2017), together with the right to construct, maintain, operate, repair, alter, replace and remove cathodic protection equipment and the necessary appurtenances thereto, such as but not limited to poles, guy wires, anchors, rectifiers, power lines, cables, deep well anode and anode ground beds under, upon, and over the permanent right of way and easement, and conducting all other activities as approved by the Order of the Federal Energy Regulatory Commission dated February 3, 2017, Docket No. CP15-138-000, 158 FERC ¶ 61,125 (2017); together with all rights and benefits necessary or convenient for the full enjoyment or use of the right of way and easement. Further, the landowner shall not build any permanent structures on said permanent right of way or any part thereof, will not change the grade of said permanent right of way, or any part thereof, will not plant trees on said permanent right of way, or any part thereof, or use said permanent right of way or any part thereof for a road, or use said permanent right of way or any part thereof in such a way as to interfere with Transco’s immediate and unimpeded access to said permanent right of way, or otherwise interfere with Transco’s lawful exercise of any of the rights herein granted without first having obtained Transco’s approval in writing; and the landowner will not permit others to do any of said acts without first having obtained Transco’s approval in writing. Transco shall have the right from time to time at no additional cost to landowners to cut and remove all trees including trees considered as a growing crop, all undergrowth and any other obstructions that may injure, endanger or interfere with the construction and use of said pipeline and all related equipment and appurtenances thereto; and
- b. Temporary easements of 1.61 acres, as described as “Area of Proposed Temporary Work Space #1” and “Area of Proposed Temporary Work Space #2” in Exhibit A attached hereto, for use during the pipeline construction and restoration period only for the purpose of ingress, egress and regress and to enter upon, clear off and use for construction and all

other activities approved by the Order of the Federal Energy Regulatory Commission dated February 3, 2017, Docket No. CP15-138-000, 158 FERC ¶ 61,125 (2017).

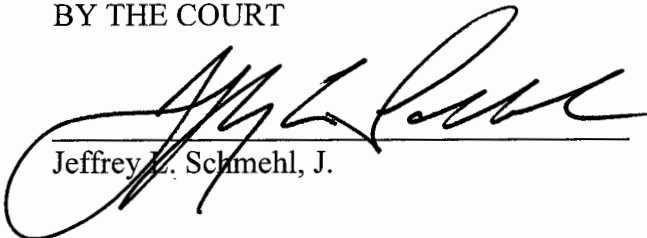
(2) Upon filing the bond required below, beginning August 18, 2017, Transco is granted access to, possession of and entry to the Rights of Way for all purposes allowed under the Order of the Federal Energy Regulatory Commission dated February 3, 2017, Docket No. CP15-138-000, 158 FERC ¶ 61,125 (2017);

(3) In the event of a violation of this Order by Defendants, such as interference with Transco's possession of the Rights of Way by Defendants or by third parties who are authorized by Defendants to be on the Property, the U. S. Marshal Service, or a law enforcement agency it designates, shall be authorized to investigate and to arrest, confine in prison and/or bring before the Court any persons found to be in violation of this Order and in contempt of this Order, pending his/her compliance with the Court's Order.

(4) Transco shall post a bond in the amount of \$62,340.00 as security for the payment of just compensation to Defendants.

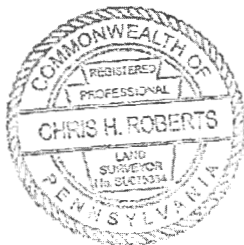
(5) Transco shall record this Order in the Office of the Recorder of Deeds for Lancaster County, Pennsylvania.

BY THE COURT



Jeffrey L. Schmehl, J.

EXHIBIT A



BLAIR B MOHN AND MEGAN E MOHN
1203589400000
PA-LA-006-C.000

PPL ELECTRIC UTILITIES CORPORATION
1201914900000
PA-LA-008-C.000

BLAIR B MOHN AND MEGAN E MOHN
1203589400000
PA-LA-006-C.000

HILLTOP HOLLOW
LIMITED PARTNERSHIP
1201606900000
PA-LA-007-C.000

JOHN R CERDY AND
E FOLLIN SMITH
1202327600000
PA-LA-005-C.000

SICKMAN WILL RD T405

AREA OF PROPOSED
TEMPORARY WORK SPACE #2
AREA OF PROPOSED CPLS R/W
PROPOSED 42" CENTRAL
PENN LINE SOUTH

AREA OF PROPOSED
TEMPORARY WORK SPACE #1

SUBJECT TRACT
N.T.S.

FERC 5

NOTES:

1. BEARINGS SHOWN ARE BASED ON THE PENNSYLVANIA STATE PLANE COORDINATE SYSTEM, NAD83, SOUTH ZONE, US FOOT.
2. LENGTH OF PIPELINE FOR PROPOSED RIGHT OF WAY. 817.33 FEET
AREA OF PROPOSED CPLS R/W 0.94 ACRE
AREA OF PROPOSED TEMPORARY WORK SPACE 1.61 ACRES
PROPERTY LINE
POINT OF INTERSECTION
3. ROADS

WE HAVE NOT DETERMINED THE FEE OWNERSHIP OF THE ROADS SHOWN, AND FOR THE PURPOSES OF THIS EXHIBIT HAVE ASSUMED THAT ADJOINING LANDOWNERS RETAIN AN INTEREST IN THE PROPERTY SUBJECT TO THE RIGHT OF WAY OF ALL ROADS SHOWN OTHER THAN INTERSTATE HIGHWAYS.

THE INFORMATION SHOWN ON THIS DRAWING IS FROM ASSESSOR'S MAPS AND FOR THE SOLE PURPOSE OF CREATING A RIGHT OF WAY ACQUISITION EXHIBIT AND REPRESENTS CONDITIONS AS THEY EXIST AT THE COUNTY CLERK'S RECORDS OFFICE. PROPERTY BOUNDARIES SHOWN ARE BASED ON COUNTY ASSESSOR'S MAPS OR FIELD SURVEYS PERFORMED BY TRANSCONTINENTAL GAS PIPE LINE COMPANY LLC ON ADJACENT TRACTS. NO CIVIL SURVEY OF THE EASEMENT AREA HAS BEEN PERFORMED. THE ACREAGES SHOWN ARE APPROXIMATE.

DRAWING NO.		REFERENCE TITLE		TRANSCONTINENTAL GAS PIPE LINE COMPANY LLC PROPOSED 42" CENTRAL PENN LINE SOUTH, AREA OF PROPOSED RIGHT OF WAY AND AREA OF PROPOSED TEMPORARY WORK SPACE CROSSING THE PROPERTY OF BLAIR B MOHN AND MEGAN E MOHN COMESTOGA TOWNSHIP, LANCASTER COUNTY, STATE OF PENNSYLVANIA							
NO.	DATE	BY	REVISION/DESCRIPTION	R.O. NO.	DATE	APP.	CHECKED BY	DATE	ISSUED FOR	SCALE	N.T.S.
0	10/18/16	MP	ISSUED FOR R.O.W.	1161503	SGH	MJH	CHECKED BY	10/13/16	ISSUED FOR CONSTRUCTION	REVISION	3
1	12/19/16	LF	REISSUED FOR R.O.W.	1161503	CJH	MJH	APPROVED BY	10/13/16	DRAWING NUMBER 24-1600-70-77-A/PA-LA-006-C.000	SHEET	1
2	12/28/16	STC	REISSUED FOR R.O.W.	1161503	SGH	MJH	NO	1161503	PA-LA-006-C.000-MOH	STATE	OF 2
3	01/17/17	SN	REISSUED FOR R.O.W.	1161503	SGH	MJH			1/1/2017		



HILLTOP HOLLOW
LIMITED PARTNERSHIP
1201606900000
PA-LA-007-C.000



CH. H. ROBERTS

PENNSYLVANIA LICENSE NO. SU075384
CHRIS H. ROBERTS
HAYES, JAMES & ASSOCIATES, INC.
4145 SHACKLEFORD ROAD, SUITE 300
NORCROSS, GA 30093

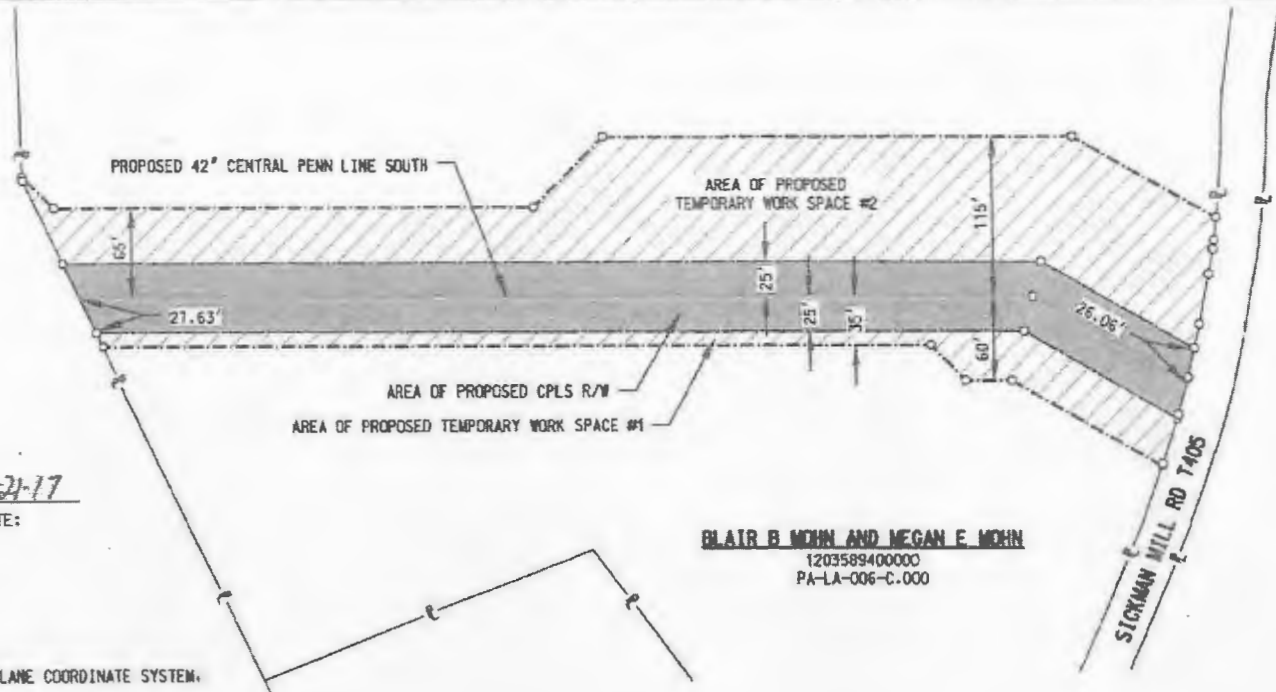
DATE: 1-24-17

NOTES:

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AREA OF PROPOSED CPLS R/W 0.94 ACRE
AREA OF PROPOSED TEMPORARY WORK SPACE 1.61 ACRES
PROPERTY LINE
POINT OF INTERSECTION
- ROADS

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BLAIR B MOHN AND MEGAN E MOHN
1203589400000
PA-LA-006-C.000

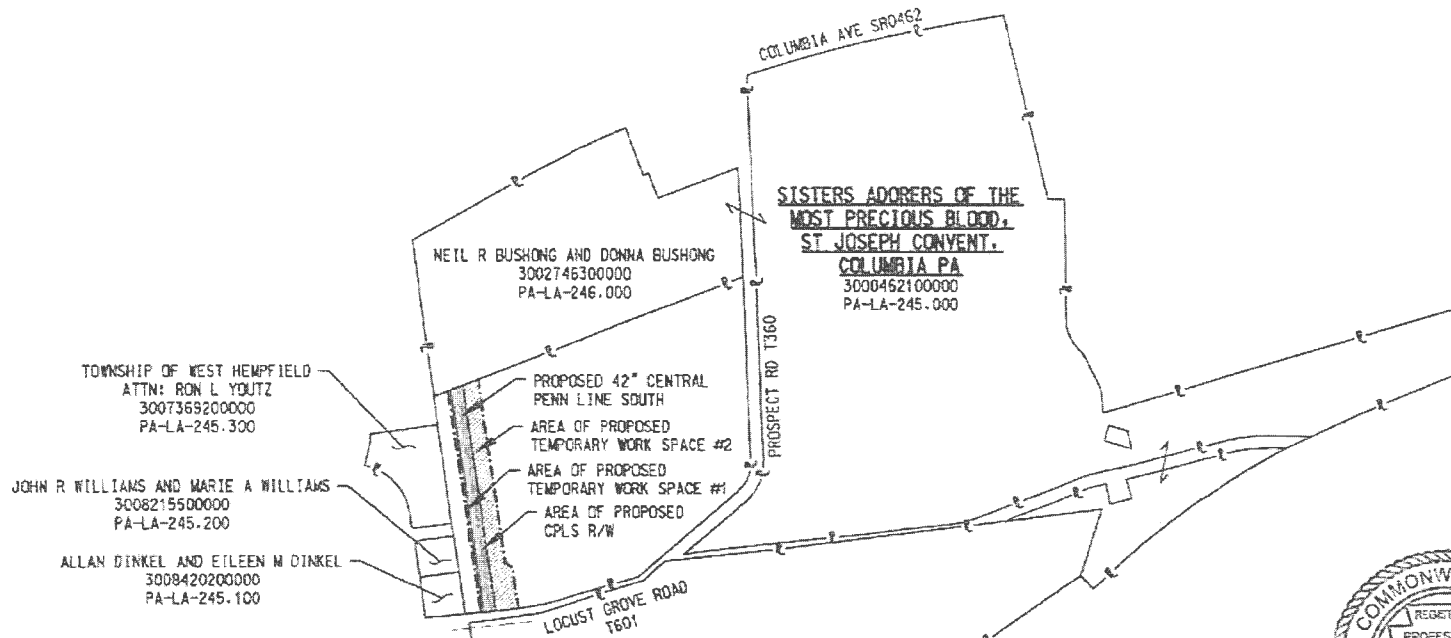


FERC 5

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NO.		DATE	BY	REVISION/DESCRIPTION	REV. NO.	CHK.	APP.	DRAWN BY	COM	DATE	06/09/16	ISSUED FOR	SCALE	1" = 100'	
0		10/18/16	MP	ISSUED FOR R.O.W.	1161503	SGH	MJH	CHECKED BY:	MJH	DATE	10/13/16	ISSUED FOR CONSTRUCTION	REVISION:	3	
1		12/19/16	LF	REISSUED FOR R.O.W.	1161503	CJH	MJH	APPROVED BY:	MJH	DATE	10/13/16	DRAWING NUMBER	24-1600-70-TT-A/PA-LA-006-C.000	SHEET	2
2		12/28/16	STC	REISSUED FOR R.O.W.	1161503	SGH	MJH	NO.	1161503	PA-LA-006-C.000.MOH				OF	2
3		01/17/17	SM	REISSUED FOR R.O.W.	1161503	SGH	MJH								





NOTES:

1. BEARINGS SHOWN ARE BASED ON THE PENNSYLVANIA STATE PLANE COORDINATE SYSTEM, NAD83, SOUTH ZONE, US FOOT.

2. LENGTH OF PIPELINE FOR PROPOSED RIGHT OF WAY. 891.57 FEET
 AREA OF PROPOSED CPLS R/W 1.02 ACRES
 AREA OF PROPOSED TEMPORARY WORK SPACE 1.65 ACRES
 PROPERTY LINE
 POINT OF INTERSECTION

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NO	DATE	BY	REVISION/DESCRIPTION	W.D. NO.	CHK	APP	DRWN BY
0	12/17/15	BB	ISSUED FOR R.O.W.	1161503	SGH	MLH	MA
1	05/31/16	TN	REISSUED FOR R.O.W.	1161503	SGH	MLH	ELR
2	11/29/16	SN	REISSUED FOR R.O.W.	1161503	CJW	MLH	MLH
DATE: 07/06/15				DATE: 08/05/15		DATE: 08/05/15	
ISSUED FOR:				ISSUED FOR CONSTRUCTION:		SCALE: N.T.S.	
DRAWING NUMBER: 24-1600-70-77-A/PA-LA-245.000				SHEET 1		OF 2	



LOUST GROVE ROAD T801

ALLAN DINKEL AND
EILEEN M DINKEL
3008420200000
PA-LA-245.100

JOHN R WILLIAMS AND
MARIE A WILLIAMS
3008215500000
PA-LA-245.200

TOWNSHIP OF WEST HEMPFIELD
ATTN: RON L YOUTZ
3007369200000
PA-LA-245.300

NEIL R BUSHONG AND
DONNA BUSHONG
3002746300000
PA-LA-246.000

PROPOSED 42" CENTRAL PENN LINE SOUTH
AREA OF PROPOSED TEMPORARY WORK SPACE #1

AREA OF PROPOSED CPLS R/W
AREA OF PROPOSED TEMPORARY WORK SPACE #2

**SISTERS ADORERS OF THE
MOST PRECIOUS BLOOD,
ST JOSEPH CONVENT,
COLUMBIA PA**
3000462100000
PA-LA-245.000

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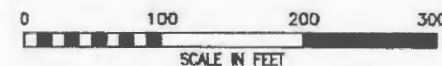
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CH. H. ROBERTS
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CHRIS H. ROBERTS
HAYES, JAMES & ASSOCIATES, INC.
4145 SHACKLEFORD ROAD, SUITE 300
NORCROSS, GA 30093

DATE: 12-8-16



DRAWING NO		REFERENCE TITLE	
<p>TRANSCONTINENTAL GAS PIPE LINE COMPANY LLC PROPOSED 42" CENTRAL PENN LINE SOUTH. AREA OF PROPOSED RIGHT OF WAY AND AREA OF PROPOSED TEMPORARY WORK SPACE CROSSING THE PROPERTY OF SISTERS ADORERS OF THE MOST PRECIOUS BLOOD, ST JOSEPH CONVENT, COLUMBIA PA WEST HEMPFIELD TOWNSHIP, LANCASTER COUNTY, STATE OF PENNSYLVANIA</p>			
NO	DATE	BY	REVISION/DESCRIPTION
0	12/17/15	BD	ISSUED FOR R.O.W.
1	05/31/16	TN	REISSUED FOR R.O.W.
2	11/29/16	SN	REISSUED FOR R.O.W.
W.D. NO.	CHK.	APP.	
1161503	SGH	MJH	
1161503	SGH	MJH	
1161503	CJW	MJH	
DRAWN BY: MA		DATE: 07/06/15	
CHECKED BY: ELR		DATE: 08/05/15	
APPROVED BY: MJH		DATE: 08/05/15	
NO: 1161503		PA-LA-245.000	
ISSUED FOR CONSTRUCTION		REVISION: 2	
DRAWING NUMBER: 24-1600-70-TT-A/PA-LA-245.000		SHEET 2 OF 2	